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BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Application Number: 09/706,297
Filing Date: 11/03/02
Appellant(s): TOCK et al

Juniper Networks, Inc.
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 5/8/06 appealing from the Office action

mailed 1/12/06.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

No evidence is relied upon by the examiner in the rejection of the claims under appeal.

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form

the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-37 are rejected under 35 U.S.C. 102(e) as being anticipated by Pettersen (US

Patent No. 6,826,594).

Pettersen teaches methods and systems for inserting dynamic or variable type

content (i.e. links) from a web server into a designated portion of a web page over a

distributed electronic network such as the Internet.

As to claim 1, Petersen teaches a method for modifying a markup language

document comprising: receiving the markup language document at an intermediary

server, the markup language document having at least one script portion including at

least one link to a resource (col 4, lines 49-67; col 13, lines 45-59; Pettersen teaches an

intermediary server receiving an html web document in response to a request by the

client)

Modifying the at least one link within the script portion of the markup language

document to link to the intermediary server (col 13; lines 45-59; col 14, liens 40-56; col

15; lines 38-46; Pettersen teaches the update/replacement of URLs within the html web document to be served to the client)

As to claim 2, Pettersen teaches a method as recited in claim 1, wherein the markup language document is being requested by a client, the method being performed at the intermediary server, and further comprising:

Delivering the markup language document to the client after modifying at least one link (col 16, lines 15-43; Pettersen teaches sending the previously client-requested document to the client upon updating all relevant information such as links).

As to claim 3, Pettersen teaches a method as recited in claim 1, wherein the markup language document is a HTML document (col 6, lines 39-64)

As to claim 4, Pettersen teaches a method of claim 1 wherein modifying comprises:

Scanning the markup language document to locate the script portion.(col 10, lines 26-50 and col 19, lines 22-39)

Searching the script portion to locate a hostname (col 9, lines 24-45 and col 10, lines 26-50);

Producing a replacement hostname for the located hostname and replacing the located hostname with the replacement hostname. (col 14, lines 40-56; the click through mechanism changes the hostname of the url with that of the intermediate server)

As to claim 5, Pettersen teaches a method of claim 4 wherein the located hostname is associated with one or more remote servers and the replacement host name is associated with the intermediary server (col 14, lines 840-56; the click through

mechanism allows for linking back to the intermediate server along with a redirect to

another remote server).

As to claim 6, Pettersen teaches a method of claim 5, wherein the located

hostname is part of the at least one link. (col 27, lines 17-60)

As to claim 7, Pettersen teaches a method of claim 6, wherein the at least one

link is a URL for a resource; (col 27, lines 17-60)

Claim 15 contains essentially the same limitations as above-rejected claim 7 and

is thus rejected under similar rationale.

As to claim 8, Pettersen teaches a method of claim 5, wherein the markup

language is a HTML document. (col 6, lines 39-64)

Claim 12 contains essentially the same limitations as above-rejected claim 8 and

is thus rejected under similar rationale.

As to claim 9, Pettersen teaches a method of claim 1, wherein a hostname is

associated with a remote server. (col 27, lines 17-60)

As to claim 10, Petersen teaches a method for modifying a markup language

document comprising: receiving the markup language document at an intermediary

server, the markup language document having at least one script portion including at

least one of function or property statements (col 4, lines 49-67; col 13, lines 45-59;

Pettersen teaches an intermediary server receiving an html web document in response

to a request by the client)

Modifying at least one of the function or property statements within the script

portion of the markup language document to facilitate access to other resources

residing on one or more remote servers through the intermediary server (col 13; lines 45-59; col 14, lines 42-56; col 15; lines 38-46; Pettersen teaches the update/replacement of URLs within the html web document to be served to the client as well as a click-through mechanism in which a link is embedded to link back to the intermediary server along with a redirect destination link to the merchant server.)

As to claim 11, Pettersen teaches a method as recited in claim 10, wherein said modifying comprises scanning the markup language document to locate the script portion (col 10, lines 26-50)

Searching the script portion to locate a predetermined function or property statement (col 9, lines 24-45 and col 10, lines 26-50)

Replacing the predetermined function or property statement with a function call (col 14, lines 40-56).

As to claim 13, Pettersen teaches a method of claim 11, wherein the predetermined function or property statement is replaced with a set or get cookies function call. (col 17, lines 9-20)

As to claim 14, Pettersen teaches a method as recited in claim 11, wherein the predetermined function or property statement initiates a request (col 14, lines 48-54).

As to claim 35, Pettersen teaches a computer readable media including computer program code that, when executed by at least one processor in an intermediary server, perfgorms a method for processing requests, the computer readable media comprising:

Computer program code for receiving, at the intermediary server, a request from a client device for an item (col 13, lines 40-45)

Computer program code for determining whether the item is a hypertext markup language document (col 13, lines 6-9)

Computer program code for forwarding the item to the client devices when the item is determined not to be a html document (col 12, lines 38-40 and col 14, line 64 to col 15, line 15)

Computer program code for performing, when the item is determined to be a HTML document, at least one of inserting a toolbar into the html document or replacing a URL within the HTML document with a replacement URL to produce a modified HTML document and forwarding the modified html documents to the client device (col 14, line 40-56)

Claims 16-34 and 36-37 contain similar limitations as the above-mentioned claims. Thus, they are rejected under similar rationale.

Independent claims 1, 10, 16-17, 20-21, and 35 are rejected under 35 U.S.C. 102(e) as being anticipated by Delph (US Patent No. 6,356,934).

As to claims 1, 10, 16-17, and 20-21, Delph teaches a method for modifying a markup language document comprising: receiving the markup language document at an intermediary server, the markup language document having at least one script portion including at least one link to a resource (col 1, lines 60-67; col 5, lines 31-49)

and modifying the at least one link within the script portion of the markup language document to link to the intermediary server (col 5, lines 31-49);

As to claim 35, Pettersen teaches a computer readable media including computer program code that, when executed by at least one processor in an intermediary server, perfgorms a method for processing requests, the computer readable media comprising:

Computer program code for receiving, at the intermediary server, a request from a client device for an item (col 5, lines 31-49)

Computer program code for determining whether the item is a hypertext markup language document (col 4, lines 43-53)

Computer program code for forwarding the item to the client devices when the item is determined not to be a html document (col 3, lines 5-19 and col 4, lines 43-53)

Computer program code for performing, when the item is determined to be a HTML document, at least one of inserting a toolbar into the html document or replacing a URL within the HTML document with a replacement URL to produce a modified HTML document and forwarding the modified html documents to the client device (col 5, lines 31-49)

(10) Response to Argument

The examiner summarizes the various points raised by the appellant and addresses them individually.

As per appellant's arguments filed 5/8/06, the appellant argues:

Pettersen does not teach modifying the at least one link within the script portion

of the markup language document to link to the intermediary server (see Brief page 9 –

Argument A).

In response to A), Pettersen does teach modifying at least one link (within the

script portion (col 8, lines 10-11) of the markup language document (col 8, lines 54-61)

to link to the intermediary server (col 13, lines 45-52 and col 14, lines 40-56). More

specifically, Pettersen teaches using table entries that comprise modifiable content

and/or code links (col 13, lines 60-67) to modify a URL within a script portion

(comprising Java Applet, JavaScript, CGI, etc) of an HTML document to link to the

intermediary server (central linking website). Pettersen further discloses a click-through

mechanism by which the link is modified to provide a link back to the centeral linking

web site along with a redirect to another remote server (merchant web site) (col 14,

lines 40-56).

Pettersen does not disclose delivering a markup language document to a client

after modifying the at least one link to link to the intermediary server (see Brief page 13

- Argument B)

In response to B), Pettersen teaches delivering a markup language docutment to

a client after modifying the at least one link to link to an intermediary server (col 14,

lines 40-56). Pettersen discloses a click-through mechanism by which the link is

modified to provide a link back to the centeral linking web site along with a redirect to

another remote server (merchant web site). The markup language document is

provided to the client only after the link has been modified to implement the click-through mechanism.

Pettersen does not teach modifying at least one of the function or property statements within the script portion of the markup language document to facilitate access to other resources residing on one or more remote servers through the intermediary server (see Brief page 21 – Argument C)

In response to C), Pettersen teaches modifying at least one link (corresponding to the function or property statement) within the script portion of the markup language document to facilitate access to other resources residing on one or more remote servers through the intermediary server. Pettersen discloses a click-through mechanism by which the link is modified to provide a link back to the centeral linking web site along with a redirect to another remote server (merchant web site) (col 14, lines 40-56).

Pettersen does not teach searching the script portion to locate a predetermined function or property statement or replacing the predetermined function or property statement with a function call (see Brief 24, - Argument D).

In response to D), Pettersen teaches that a web page contains pre-designated zones and at least two dynamic content codes or tags. These embedded codes or tags are read and appropriate action is taken. These pre-designated zones and codes or tags can be script indicating links (col 10, lines 26-50).

Pettersen does not teach where the predetermined function or property statement is replaced with a set or get cookies function call (see Brief – Argument E).

In response to E), Pettersen teaches that the central linking web site, merchant

web site, and affiliate web site only need to communicate to the system browser. This

can be done using cookies (col 17, lines 9-20 and col 27, lines 50-60).

Pettersen does not teach where the predetermined function or property

statement returns a URL (see Brief page 27 – Argument F)

In response to F), Pettersen teaches that link replaced within the script portion of

the markup language document is in fact a URL (col 27, lines 50-60).

Pettersen does not teach forwarding an item to a client device when the item is

determined not to be a HTML document and when the item is determined to be a HTML

document, at least one of inserting a toolbar into the HTML document or replacing a

URL within the HTML document with a replacement URL to produce a modified HTML

document (see Brief, page 49 – Argument G).

In response to G), Pettersen positively teaches the limitations as currently

claimed. The claim essentially states that whether or not the document is an HTML

document or not, it is forwarded to the client device. Pettersen teaches this limitation in

that numerous types of content are forwarded (including banners, advertisements, web

pages, etc.) using a number of protocols. Furthermore, Pettersen teaches modifying at

least one link (within the script portion (col 8, lines 10-11) of the markup language

document (col 8, lines 54-61) to link to the intermediary server (col 13, lines 45-52 and

col 14, lines 40-56).

The appellant also argues that *Delph* does not teach modifying the at least one

link within a script portion of the markup language document to link to the intermediary

server (see Brief, page 53 – Argument H).

In response to H), Delph teaches modifying the at least one link within a script

portion (col 1, lines 62-67) of the markup language document to link to the intermediary

server (col 5, lines 35-49). More specifically, Delph teaches that the control program

can direct the intermediate server to modify the HTML data (which is taught by Delph as

"a common scripting language") by identifying the URLs within the HTML data (script) to

point pack to the intermediate server (col 5, lines 35-40).

Delph does not teach or suggest modifying at least one of the function or

property statements within the script portion of the markup language document to

facilitate access to other resources residing on one or more remote servers through the

intermediary server (see Brief, page 54 – Argument I).

In response to I), Delph teaches that the modified content data id code contains

the unmodified code appended to the location code for the intermediate server and that

the intermediate server may modify the data received by each content server navigated,

evin if the content servers being navigated do not include a redirect. Even further,

Delph teaches modifying the url to point to the intermediate server and then redirected

to another site (col 6, lines 33-64).

Delph does not teach forwarding an item to a client device when the item is

determined not to be a HTML document and when the item is determined to be a HTML

document, at least one of inserting a toolbar into the HTML document or replacing a

URL within the HTML document with a replacement URL to produce a modified HTML

document (see Brief, page 62 – Argument J).

In response to J), Pettersen positively teaches the limitations as currently

claimed. The claim essentially states that whether or not the document is an HTML

document or not, it is forwarded to the client device. Pettersen teaches this limitation in

that numerous types of content are forwarded using a number of protocols.

Furthermore, Delph teaches modifying the at least one link within a script portion (col 1,

lines 62-67) of the markup language document to link to the intermediary server (col 5,

lines 35-49). Delph teaches that the control program can direct the intermediate server

to modify the HTML data (which is taught by Delph as "a common scripting language")

by identifying the URLs within the HTML data (script) to point pack to the intermediate

server (col 5, lines 35-40).

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the

Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

Asad M. Nawaz

July 24, 2006

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